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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/687,991	10/13/2000	Jai Rawat	OBON0003	1050

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EXAMINER	
SALAD, ABDULLAHI ELMI	
ART UNIT	**PAPER NUMBER**
2157	

DATE MAILED: 04/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/687,991	RAWAT ET AL.	
	Examiner	Art Unit	
	Salad E. Abdullahi	2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *27 March 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-3,5,8-10,13-16,19-22,24-26 and 28-30* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3,5,8-10,13-16,19-22,24-26 and 28-30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3/27/2006 has been entered.

Double Patenting

3. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970);and, *In re Thorington,* 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with

37 CFR 3.73(b).

4. Claim 1-3, 5, 8-10, 13-16, 19-22, 24-26 and 28-30 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-38 of the copending Application No. 10/437-883. Although the conflicting claims are not identical, they are not patentably distinct from each other because the only difference between independent claims 1, 13 and 24 of the instant application and independent claims 1, 15 and 29 of the co-pending application is that the following language was added to independent claims 1, 13 and 24 of the instant application:

"wherein the user specific information comprises a username and passwords associated with plurality of user accounts"

In view of the "obviousness - type" double patenting rationale enunciated in Georgia Pacific Corp v United States Gypsum Co., 52 USPQ2d 1590, U.S. Court of Appeals Federal Circuit 1999, instant application independent claims 1, 13 and 24 merely defines an obvious variation of the invention claimed in the co-pending application independent claims 1, 15 and 29.

The above added limitation describe a subset of all possible conditions being monitored in the co-pending claims 1-38. As in the Georgia Pacific case claim 1, 13 and 24 of the instant application is merely a subset of claim 1, 15 and 29 of the co-pending application. For example, "wherein the user specific information comprises a username and passwords associated with plurality of user accounts"" as recited in 1, 13 and 24 of the instant application is a subset of "stored

data recorded in a database " as recited in claim 1, 15 and 29 of the co-pending application.

These differences are not sufficient to render the claim patentably distinct and therefore a terminal disclaimer is required. Therefore, a person having ordinary skill in the art would have readily recognized stored data recorded inn the database would have been obviously being the user specific information comprises a username and passwords associated with plurality of user accounts", thus enabling centralized management of user specific information shared by plurality of servers

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

Furthermore, there is no apparent reason why applicant would be prevented from presenting claims corresponding to those of the instant application in the other copending application. See *In re Schneller*, 397 F.2d 350, 158 USPQ 210 (CCPA 1968). See also MPEP § 804.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-3, 5, 8-10, 13-16, 19-22, 24-26 and 28-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Rawat et al., U.S. Patent No. 6,981,028[herein after Rawat].

The applied reference has a common inventor with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

As per claims 1, Rawat discloses a system for automating data transactions between computers servers, comprising:

a first computer server (see fig. 4, element 499) maintaining a database (299) having stored data recorded therein, said stored data comprising user specific information relating plurality of computer servers, wherein the user specific information comprises a username and passwords associated with plurality of user accounts (see figs 2 and 4 and col. 6, lines 40-54 and col. 8, lines 35-64).

program code residing on said first computer server for creating extracted data by selectively extracting said stored data responsive to a request (see col. 13, lines 7-21 and lines 55-66); and

additional program code residing on said first computer server for obtaining a blank form, and for parsing said blank form to identify which of said extracted data should be used to fill in at least a part of said blank form (see col. 14, lines 15-41);

form filing program residing on the on the first server for creating a filled form in said blank form using an automated fill procedure (see col. 1, lines 17-39).
submitting the automatically filled to a second server (see fig.2 and col. 6, lines 24-39).

In considering claim 2, 3 and 5, Rawat discloses a system, wherein said extracted data includes data for all fields in said blank form (see fig. 5 and col. 10, lines 1-30).
In considering claim 8, Rawat discloses a system, further comprising:
an additional database maintained at said first computer server (see col. 9, lines 42-47);
additional database having stored form data recorded therein (see col. 9, lines 42-47);
stored form data relating to forms required by at least one other computer server (see col. 9, lines 42-47);
In considering claim 9, Rawat discloses comparing data fields in said blank form with said stored form data recorded in said additional database (col. 8, lines 15-54).

In considering claim 10, Rawat discloses a system wherein said stored form data includes parsed form data from said at least one other computer server (see col. 14, lines 15-41).

As per claims 13-16, 19-21, 24-26 and 28-30, the claims include features analogous to features in claims 1-3, 5, 8-10, thus claims 13-16, 19-21, 24-26 and 28-30 are rejected same rational as claims 1-3, 5, and 8-10

CONCLUSION

4. The prior art made of record and not relied upon is considered pertinent to the applicant's disclosure.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Salad E Abdullahi whose telephone number is 571-272-4009. The examiner can normally be reached on 8:30 - 5:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300.**

6. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free)

Abdullahi Salad
4/13/2006